

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM
HEALTH AND HUMAN SERVICES BUILDING
WILLMAR, MINNESOTA

October 3, 2022
6:30 p.m.

The regular meeting of the Willmar City Council was called to order by Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, and Audrey Nelsen. Present 8, Absent 1. Council Member Andrew Plowman was excused from the meeting.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Police Chief Jim Felt, Public Works Director Gary Manzer, Human Resources Director LuAnn Sietsema, City Clerk Judy Thompson and City Attorney Robert Scott.

There were no additions or deletions to the agenda as presented.

Council Member Fagerlie moved to approve the agenda. Council Member Asmus seconded the motion, which carried unanimously.

Council Member Davis offered a motion to remove from the table, consideration of an ordinance rezoning Lakeland Drive NE, Unique Properties from Ag to R-5. Council Member Fagerlie seconded the motion, which carried unanimously.

City Administrator Valiant explained the traffic study won't be completed until mid to late November, and noted the Council could approve the rezoning contingent upon results of the traffic study.

Following a lengthy discussion, Council Member Davis offered a motion to adopt, assign a number, and publish **Ordinance No. 1488, An Ordinance Amending Municipal Ordinance No. 1060, The Willmar Zoning Ordinance**. Council Member Ask seconded the motion.

Following further discussion, Council Member Davis offered a friendly amendment to the motion, whereby the rezoning is contingent on commencement of construction beginning on or before July 1, 2023. Council Member Fagerlie seconded the motion, which then carried on a roll call vote of Ayes 5, Noes 2. Council Members Butterfield and O'Brien voted "no".

Council Member Fagerlie offered a motion to remove from the table, consideration of Unique Properties TIF agreement, Lakeland Apartment complex. Council Member Davis seconded the motion, which carried unanimously.

City Administrator Valiant and Baker Tilly Representative Tom Denaway provided the pertinent information to the Mayor and Council.

Mayor Calvin noted the TIF agreement does include language that the TIF agreement is contingent on compliance with the traffic study results.

Resolution No. 2022-128 Approving the Establishment of Tax Increment Financing (Housing District (Lakeland Drive Apartment Project) Within Municipal Development District No. II; and Adoption of the Tax Increment Financing Plan Relating Thereto was introduced by Council Member Fagerlie. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 5, Noes 2. Council Members Butterfield and O'Brien voted "no".

Resolution No. 2022-129 Approving the Tax Increment Financing Agreement with JH, LLC. was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion, which carried on a roll call vote of Ayes 5, Noes 2. Council Members Butterfield and O'Brien voted "no".

City Clerk Thompson reviewed the consent agenda.

- A. City Council Minutes of September 19, 2022
- B. Willmar Municipal Utilities Board Minutes of September 26, 2022
- C. Central Community Transit Minutes of June 28, 2022
- D. Park and Recreation Minutes of July 20, 2022
- E. Convention and Visitor Bureau Minutes of August 16, 2022
- F. Accounts Payable Report for September 13 through September 27, 2022
- G. Resolution No. 2022-130 Bureau of Justice – Acceptance of the 2022 Bulletproof Vest Award**
- H. Resolution No. 2022-131 Advertising Agreement with the Willmar Hockey Boosters**
- I. Exempt Permit for Willmar Blue Line Club/ Willmar Hockey Boosters for October 28, 2022
- J. Exempt Permit for Willmar Curling Club for March 11, 2023
- K. Resolution No. 2022-132 Dovre Township Fire Agreement**
- L. Resolution No. 2022-133 Agricultural Land Exemption of Special Assessments**
- M. Application for Appointment to the Willmar Utilities Commission – John Kennedy

Council Member Fagerlie offered a motion to approve the consent agenda. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Monica Villars, Willmar, addressed the Mayor and Council during the Open Forum stating her satisfaction with the 2nd Street pavement. She inquired about the widening of the road, and if the East side of 2nd Street would have a sidewalk.

At 7:24 p.m., Mayor Calvin opened the public hearing for unpaid snow or ice removal charges. City Clerk Thompson provided the pertinent information to the Mayor and Council.

There being no one present to speak for or against the said charges, Mayor Calvin closed the public hearing at 7:26 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie introduced **Resolution No. 2022-134 Certifying Unpaid Snow or Ice Special Assessments**. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

At 7:27 p.m. Mayor Calvin opened the public hearing for unpaid weed/grass mowing removal charges. City Clerk Thompson provided the pertinent information to the Mayor and Council.

There being no one present to speak for or against the said charges, Mayor Calvin closed the public hearing at 7:28 p.m. and opened it up for discussion by the Council. Following discussion, Council Member Fagerlie introduced **Resolution No. 2022-135 Certifying Unpaid Weed/Grass Special Assessments**. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Kandiyohi County and City of Willmar Economic Development Commission (EDC) Executive Director Aaron Backman presented the proposed 2023 budget for the EDC to the Mayor and Council.

Council Member Asmus offered a motion to approve the proposed 2023 EDC budget as presented. Council Member Nelsen seconded the motion, which carried unanimously.

Contracted City Engineer Jared Voge presented a request to approve no-parking on the west and east side of 2nd Street SE from Becker Avenue SE to Olena Avenue SE.

Following a lengthy discussion Council Member Asmus offered a motion to allow parking only on the east side of 2nd Street SE and introduced **Resolution No. 2022-136 A Resolution Restricting Parking**. Council Member Davis seconded the motion.

Following further discussion, Council Member Nelsen offered an amendment to install stop signs and yield signs as needed off properties accessing 2nd Street from 1st Street businesses. The motion died for a lack of a second.

Contracted City Engineer Jared Voge noted signage would be installed at the same locations as prior to construction. It was consensus of the Council for the signage locations to be provided to Council in two weeks.

The original motion then carried on a roll call vote of Ayes 4, Noes 3. Council Members Butterfield, O'Brien, and Nelsen voted "no".

Council Member Butterfield offered a motion to add sidewalk to the east side of 2nd Street SE. Council Member O'Brien seconded the motion, which failed on a roll call vote of Ayes 2, Noes 5. Council Members Fagerlie, Asmus, Ask, Davis, and Nelsen voted "no".

Contracted City Engineer Jared Voge presented a request to approve Change Order No. 1 for Project No. 2204 Fire Station parking lot improvements.

Following discussion, Council Member Ask introduced **Resolution No. 2022-137 Accepting Change Order No. 1 for Project No. 2204**. Council Member O'Brien seconded the motion, which failed on a roll call vote of Ayes 1, Noes 6. Council Members Fagerlie, Asmus, Butterfield, O'Brien, Ask, and Davis voted "no".

Contracted City Engineer Jared Voge asked if Council would be in favor of amending the Change Order to leave the grass area as is, and fix the sidewalk drainage to be paid for in its entirety by Schwegman's.

Council Member Ask offered a motion to approve the amendment to the Change Order as requested by Mr. Voge. Council Member O'Brien seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Contracted City Engineer Jared Voge presented a request to introduce an ordinance amending Chapter 9 Nuisances and Chapter 17, Surface Water Management. It was noted these changes are required to update City code with requirements put in place by the MPDA for compliance with our Municipal Separate Storm Sewer System (MS4) general permit.

Following discussion, Council Member O'Brien offered a motion to **introduce an Ordinance Amending Chapter 9, Nuisances, and Chapter 17, Surface Water Management, to Update City Code with MS4 Requirements** and set a public hearing for October 17, 2022. Council Member Davis seconded the motion, which carried unanimously.

Due to the length and cost of publishing the entire ordinance, Council Member Fagerlie offered a motion to publish an **Ordinance Amending Chapter 9, Nuisances, and Chapter 17, Surface Water Management, to Update City Code with MS4 Requirements** by summary. Council Member Ask seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

City Administrator Valiant presented a request to introduce an ordinance to rezone Skylark Properties from Shopping Center to General Business District. It was noted the Planning Commission approved the rezoning on September 21, 2022.

Following discussion, Council Member Fagerlie offered a motion to **introduce an Ordinance Amending the Willmar Zoning Ordinance** and set a public hearing for October 17, 2022. Council Member Asmus seconded the motion, which carried unanimously.

Mayor Calvin provided a summary of the conclusions reached by Council from the September 19, 2022 performance evaluation of City Administrator Valiant.

Mayor Calvin presented a request to consider a salary increase to \$160,000 effective (and retroactive) to June 1, 2022 for City Administrator Valiant.

Council Member Fagerlie offered a motion to approve the Mayor's request. Council Member O'Brien seconded the motion, which carried unanimously.

City Clerk Thompson offered the following comment: City Auction will be held Wednesday, October 5th at the Public Works garage beginning at 10:00 a.m.

Mayor Calvin offered the following comments: DEMO, Inc. if holding a fundraising auction on Sunday, October 16th at 1:00 p.m. at the Willmar Education and Arts Center; reminded Council of a Special Council meeting to be held Tuesday, October 11th at 5:30 p.m. at the Health and Human Services Building for consideration of adopting the 2022 Assessment Roll.

Council Member O'Brien offered the following comment: some staff members of Willmar Municipal Utilities recently left to help with the power outages in Florida due to the recent hurricane.

At 8:28 p.m., Council Member Fagerlie offered a motion to enter into a closed session pursuant to Minnesota Statute 13D.03, subd.1, clause (b). Council Member Asmus seconded the motion, which carried.

At 9:31 p.m., the Council returned to open session.

Council Member Fagerlie offered a motion to adjourn the meeting, with Council Member Nelsen seconding the motion, which carried. The meeting adjourned at 9:31 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2022-128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA, APPROVING THE ESTABLISHMENT OF TAX INCREMENT FINANCING (HOUSING) DISTRICT (LAKELAND DRIVE APARTMENT PROJECT) WITHIN MUNICIPAL DEVELOPMENT DISTRICT NO. II; AND ADOPTION OF THE TAX INCREMENT FINANCING PLAN RELATING THERETO.

Motion By: Fagerlie

Second By: Davis

WHEREAS, the Willmar City Council ("Council") has heretofore established Municipal Development District No. II (the "Development District") and adopted a Development Program therefor pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.124 to 469.133 and Sections 469.174 to 469.1794, all inclusive, as amended, (the "Act").

WHEREAS, the City has investigated the facts and caused to be prepared a tax increment financing plan for Tax Increment Financing (Housing) District – Lakeland Drive Apartment Project (the "Tax Increment Financing District"), which plan is appended hereto as Appendix A (the "Tax Increment Financing Plan").

WHEREAS, the City has performed all actions required by law to be performed prior to the creation of the Tax Increment Financing District within the Development District, the adoption of the Tax Increment Financing Plan relating thereto, including, but not limited to, notification of Kandiyohi County and Independent School District No. 347, having taxing jurisdiction over the property in the TIF District, a review of and written comment on the Tax Increment Financing Plan by the City of Willmar Planning Commission, and the holding of a public hearing upon published notice as required by law.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar as follows:

1. Creation of Tax Increment Financing (Housing) District – Lakeland Drive Apartment Project within Municipal Development District No. II. The City hereby approves the establishment of the Tax Increment Financing District within the Development District, the boundaries of which are fixed and determined as described in the Tax Increment Financing Plan.

2. Tax Increment Financing Plan. The Tax Increment Financing Plan appended hereto is adopted as the tax increment financing plan for the Tax Increment Financing District, and the Council makes the following findings:

a. The Tax Increment Financing District is a Housing District as defined in Minnesota Statutes, Section 469.174, Subdivision 11 and satisfies the criteria set forth therein for these reasons:

i. The planned improvements consist of the following:

- Three 72-unit apartment buildings (216 total units) in which at least 20% (43) of the rental units will be occupied by persons with incomes no greater than 50% of the area median income;
- At least 80% of the proposed development will be used for residential purposes.
- The City will require in the development agreement that the income limitations for the rental units in the apartment project will apply for the duration of the TIF District.

b. The proposed development, in the opinion of the Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and therefore the use of tax increment financing is deemed necessary. This finding is based on an analysis of the project pro forma and other materials submitted to the City by the developer. These documents have indicated that the reduction in annual revenues due to the lower rents associated with providing affordable housing units will result in returns that are not sufficient to support development and an operating cashflow insufficient to meet expected financing requirements, thereby making this housing development infeasible without public assistance. Therefore, the developer has indicated in communications with the City and submitted financial data that the development as proposed would not move forward without tax increment assistance.

c. The Tax Increment Financing Plan conforms to the general plan for development of the City as a whole in that the TIF Plan is consistent with the objectives of the Development Program for the Development District and will generally complement and serve to implement policies adopted in the City's comprehensive plan.

d. The Tax Increment Financing Plan will afford maximum opportunity, consistent with the sound needs of the City of Willmar as a whole, for the development of the Tax Increment Financing District by private enterprise because through the implementation of the TIF Plan, the City will provide an impetus for an affordable apartment complex, which complements the overall housing needs of the City and helps support other private types of development by providing a range of housing opportunities for residents and workers within the City.

3. Public Purpose. The Council finds that the adoption of the Tax Increment Financing Plan conforms in all respects to the requirements of the Act and will provide the impetus for the development of previously undeveloped property in the City and help fulfill a need in the community for a range of housing opportunities for residents and workers in the City, specifically including high quality affordable housing units, and thereby serves a public purpose.

4. Certification. The Auditor of Kandiyohi County is requested to certify the original net tax capacity of the Tax Increment Financing District as described in the Tax Increment Financing Plan, and to certify in each year thereafter the amount by which the original net tax capacity has

increased or decreased in accordance with the Act; and the Planning and Development Services Director is authorized and directed to forthwith transmit this request to the County Auditor in such form and content as the Auditor may specify, together with a list of all properties within the Tax Increment District for which building permits have been issued during the 18 months immediately preceding the adoption of this Resolution.

5. Filing. The Planning and Development Services Director is further authorized to file a copy of the Tax Increment Financing Plan with the Commissioner of Revenue and the Office of the State Auditor pursuant to Minnesota Statutes, Section 469.175, Subd. 4a.

Dated this 3rd day of October, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

APPENDIX A
TAX INCREMENT FINANCING PLAN

RESOLUTION NO. 2022-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA, APPROVING THE TAX INCREMENT FINANCING AGREEMENT WITH JH, LLC

Motion By: Fagerlie Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Tax Increment Financing Agreement with Unique Opportunities Willmar LLC appended hereto, is accepted as to form and hereby approved, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to execute a version of said agreement that is substantially consistent with the attached draft on behalf of the City.

Dated this 3rd day of October, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-130

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN AWARD
FROM THE BUREAU OF JUSTICE ASSISTANCE**

Motion By: Fagerlie Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar to accept an award of \$4,896.82 from the Bureau of Justice Assistance as a part of the Bulletproof Vest Partnership Grant to the Willmar Police Department.

Dated the 3rd of October, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-131

**RESOLUTION AUTHORIZING THE AGREEMENT WITH THE WILLMAR HOCKEY BOOSTERS FOR THE
ADVERTISING RIGHTS ON THE DASHER BOARDS IN THE BLUE LINE ARENA**

Motion By: Fagerlie Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar to approve the agreement with Willmar Hockey Boosters for the advertising rights on the dasher boards in the Blue Line Arena

Dated the 3rd of October, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-132

**A RESOLUTION APPROVING DOVRE TOWNSHIP FIRE AGREEMENT
IN THE AMOUNT OF \$32,112.03**

Motion By: Fagerlie

Second By: Ask

WHEREAS Dovre Township annually contracts with the City of Willmar Fire Department for fire protection services; and

WHEREAS it is the established practice of the City of Willmar to use a statewide formula to calculate the township cost sharing proposal;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to execute the fire protection agreement with Dovre Township for the period January 1, 2023 through December 31, 2023, in the amount of \$32,112.03.

Dated this 3rd day of October 2022.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-133

RESOLUTION APPROVING CERTIFICATION OF AGRICULTURAL USE FOR TEMPORARY EXEMPTION/SUBSEQUENT DEFERMENT OF SPECIAL ASSESSMENTS

Motion By: Fagerlie

Second By: Ask

WHEREAS, the City Council of the City of Willmar, Minnesota, did order the installation of certain street and other improvements made under Projects No. 0501, 8606, and 1601.

WHEREAS, Section W of the City of Willmar Comprehensive Assessment Policy allows the City to temporarily exempt from assessments certain lands currently used for agriculture purposes; and

WHEREAS, certain property owners have made application to the City for delayed payment of taxes on special assessments and have met the criteria contained in the Comprehensive Assessment Policy for said deferment;

NOW, THEREFORE, BE IT RESOLVED by the Willmar City Council that special assessments as hereinafter designated be certified to the County and deferred until such property is developed or upon approval of the final plat, and that interest that accrues on the outstanding deferred assessment amounts during the period of deferment shall not be collected until the period of deferment expires.

BE IT FURTHER RESOLVED that upon development or plat approval that tapping fee shall be based on the project year bid price per front foot or unit, or on the current year costs at the time of connection/platting, whichever is greater:

1.	Langsjoen Properties, LLC & Carter Family Holding, LLC 2337 Kennedy Drive	95-903-0010 Project 0501	\$93,012.00
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Faribault, MN

Section 3, Township 119, Range 35

Southeast Quarter of Southwest Quarter and Southwest Quarter of Southwest Quarter except the Southerly 350 feet of the Westerly 233 feet of Southwest Quarter of Southwest Quarter and except parts platted as Northwood Estates and Northwood Estates Second Addition; and also except that permanent utility easement described as follows: That part of the Southwest Quarter of the Southwest Quarter described as follows: Commencing at Southwest Corner of said Southwest Quarter of the Southwest Quarter, Thence East 844.61 feet, Thence North 108.96 feet to North right-of-way line of North Shore Way, said point being point of beginning of tract herein described, Thence Northwesterly 50 feet, Thence Northeasterly 100 feet, Thence Southeasterly 50 feet to North right-of-way line of North Shore Way, Thence Southwesterly 100 feet to point of beginning. (64.13 acres)

2. J & C Enterprises of Central MN
c/o Stephen Jennings
PO Box 639
Richmond
- Project 8606
Hidden Valley Estates
- \$17,869.51

95-308-0010 Sect-08 TWP -119 Rang-35 Lot-001 Blk-001
95-308-0020 Sect-08 TWP -119 Rang-35 Lot-002 Blk-001
95-308-0030 Sect-08 TWP -119 Rang-35 Lot-003 Blk-001
95-308-0040 Sect-08 TWP -119 Rang-35 Lot-004 Blk-001
95-308-0050 Sect-08 TWP -119 Rang-35 Lot-005 Blk-001
95-308-0060 Sect-08 TWP -119 Rang-35 Lot-006 Blk-001
95-308-0070 Sect-08 TWP -119 Rang-35 Lot-007 Blk-001
95-308-0080 Sect-08 TWP -119 Rang-35 Lot-008 Blk-001
95-308-0090 Sect-08 TWP -119 Rang-35 Lot-009 Blk-001
95-308-0100 Sect-08 TWP -119 Rang-35 Lot-010 Blk-001
95-308-0110 Sect-08 TWP -119 Rang-35 Lot-011 Blk-001
95-308-0120 Sect-08 TWP -119 Rang-35 Lot-012 Blk-001
95-308-0130 Sect-08 TWP -119 Rang-35 Lot-013 Blk-001
95-308-0140 Sect-08 TWP -119 Rang-35 Lot-014 Blk-001
95-308-0150 Sect-08 TWP -119 Rang-35 Lot-015 Blk-001
95-308-0160 Sect-08 TWP -119 Rang-35 Lot-016 Blk-001
95-308-0170 Sect-08 TWP -119 Rang-35 Lot-017 Blk-001
95-308-0200 Sect-08 TWP -119 Rang-35 Lot-001 Blk-002
95-308-0210 Sect-08 TWP -119 Rang-35 Lot-002 Blk-002
95-308-0220 Sect-08 TWP -119 Rang-35 Lot-003 Blk-002
95-308-0230 Sect-08 TWP -119 Rang-35 Lot-004 Blk-002
95-308-0300 Sect-08 TWP -119 Rang-35 Lot-001 Blk-003
95-308-0310 Sect-08 TWP -119 Rang-35 Lot-002 Blk-003
95-308-0320 Sect-08 TWP -119 Rang-35 Lot-003 Blk-003
95-308-0330 Sect-08 TWP -119 Rang-35 Lot-004 Blk-003
95-308-0340 Sect-08 TWP -119 Rang-35 Lot-005 Blk-003
95-308-0350 Sect-08 TWP -119 Rang-35 Lot-006 Blk-003
95-308-0360 Sect-08 TWP -119 Rang-35 Lot-007 Blk-003
95-308-0370 Sect-08 TWP -119 Rang-35 Lot-008 Blk-003
95-308-0380 Sect-08 TWP -119 Rang-35 Lot-009 Blk-003
95-308-0390 Sect-08 TWP -119 Rang-35 Lot-010 Blk-003
95-308-0400 Sect-08 TWP -119 Rang-35 Lot-001 Blk-004
95-308-0410 Sect-08 TWP -119 Rang-35 Lot-002 Blk-004
95-308-0420 Sect-08 TWP -119 Rang-35 Lot-003 Blk-004
95-308-0430 Sect-08 TWP -119 Rang-35 Lot-004 Blk-004
95-308-0500 Sect-08 TWP -119 Rang-35 Lot-001 Blk-005
95-308-0510 Sect-08 TWP -119 Rang-35 Lot-002 Blk-005
95-308-0520 Sect-08 TWP -119 Rang-35 Lot-003 Blk-005
95-308-0530 Sect-08 TWP -119 Rang-35 Lot-004 Blk-005
95-308-0540 Sect-08 TWP -119 Rang-35 Lot-005 Blk-005

95-308-0550 Sect-08 TWP -119 Rang-35 Lot-006 Blk-005

3.	Erickson Land Company of Willmar PO Box 628 Willmar, MN	95-912-0950 Project 1601	\$26,156.80
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SECT-12 TWP-119 RANG-35

That part of the West Half of Northwest Quarter described as follows: Commencing at the Northwest corner of said Section 12, Thence South 977.23 feet to point of beginning of tract herein described, Thence East 113.15 feet, Thence Northeasterly 120.30 feet, Thence Northeasterly 138.50 feet, Thence Southeasterly 196.87 feet, Thence Southeasterly 318.20 feet, Thence Southwesterly 15.49 feet, Thence Southeasterly 149.81 feet, Thence Southeasterly 153.04 feet, Thence Easterly 193.16 feet to East line of West 40 acres of North 1655 feet of said Northwest Quarter, Thence South 389.82 feet to South line of North 1655 feet of said Northwest Quarter, Thence West 1053 feet to West line of said Section 12, Thence North 677.77 feet to point of beginning, Except that part platted as Trentwood Estates Third Addition. (13.90 acres)

Dated this 3rd day of October 2022.

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-134

A RESOLUTION CERTIFYING UNPAID SNOW OR ICE SPECIAL ASSESSMENTS

Motion By: Fagerlie Second By: Ask

WHEREAS, Chapter 13, Article III of the Willmar Municipal Code states that such unpaid snow or ice removal costs represent a lien of the real property receiving snow or ice removal services; and

WHEREAS, THE City Council of the City of Willmar has offered the owner his right to request an appearance before the Council to make objections to payment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid snow / ice removal charges totaling \$891.00 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2023 and collected by the County Treasurer, and paid to the City Clerk along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid snow or ice removal charges be certified against the real property as follows:

1.	Parcel No. 95-003-6700	\$192.00
	Located at 402 9 th Street SW; and Described as Block 55 WILLMAR, TOWN OF (ORIGINAL) EAST 75 FEET OF LOT 1 & EAST 75 FEET OF LOT 2	

2. Parcel No. 95-080-0050 \$192.00

Located at 1428 Willmar Avenue SW; and
Described as Section 15, Township 119, Range 35, Block 1
BON-VAN ACRES
LOT 5 EXCEPT NORTH 10 FEET

3. Parcel No. 95-740-1310 \$108.00

Located at 420 Trott Avenue SE; and
Described as Section 14, Township 119, Range 35, Block 9
SPICER'S ADDITION TO WILLMAR
EAST 50 FEET OF LOTS 1 & 2 AND OF NORTH
40 FEET OF LOT 3

4. Parcel No. 95-003-6440 \$99.00

Located at 408 7th Street SW; and
Described as Section 15, Township 119, Range 35, Lot 3, Block 53
WILLMAR, TOWN OF (ORIGINAL)

5. Parcel No. 95-220-1590 \$96.00

Located at 421 Charlotte Street SE; and
Described as Lot 9, Block 11
FERRING'S ADDITION OT THE CITY OF WILLMAR

6. Parcel No. 95-006-0140 \$204.00

Located at 1019 Trott Avenue SW; and
Described as Section 15, Township 119, Range 35, Block 57
FIRST ADDITION TO THE CITY OF WILLMAR
WEST HALF OF LOTS 12, 13 & 14

Dated this 3rd day of October, 2022

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2022-135

A RESOLUTION CERTIFYING UNPAID WEED/GRASS SPECIAL ASSESSMENTS

Motion By: Fagerlie Second By: Ask

WHEREAS, Chapter 9, Article III of the Willmar Municipal Code states that such unpaid weed or grass mowing costs represent a lien of the real property receiving mowing services; and

WHEREAS, the City Council of the City of Willmar has offered the owner his right to request an appearance before the Council to make objections to payment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the amount of the unpaid weed / grass mowing charges totaling \$1,173.90 be certified to the County Auditor to be extended on the tax rolls of such real property in the same manner as other taxes for collecting in 2023 and collected by the County Treasurer, and paid to the City Clerk along with other taxes; and

BE IT FURTHER RESOLVED that the unpaid weed or grass charges be certified against the real property as follows:

1. Parcel No. 95-860-0100 \$307.18

Located at 1225 16th Street SW; and
Described as Section 21, Township 119, Range 35, Lot 10, Block 1
WEST PARK 1ST ADDITION

2. Parcel No. 95-003-0440 \$349.26

Located at 1002 Gorton Avenue NW; and
Described as Section 15, Township 119, Range 35, Block 4
WILLMAR, TOWN OF (ORIGINAL)
EAST 68 FEET OF LOTS 5 & 6

3. Parcel No. 95-540-0010 \$258.73

Located at 804 Olaf Avenue NW; and
Described as
ERIK NILSONS ADDITION TO THE VILLAGE OF WILLMAR
WEST 71 FEET OF LOT 1, BLOCK 1
OF NELSONS ADDITION & WEST
71 FEET OF SOUTH 3 FEET OF LOT 2,
BLOCK 3, THORPE & LIEN'S ADDITION

4. Parcel No. 95-914-1490 \$258.73

Located at 1221 1st Street S; and
Described as Section 14, Township 119, Range 35
EAST 150 FEET OF WEST 183 FEET OF
SOUTH 250.10 FEET OF SOUTHWEST QUARTER
OF SOUTHWEST QUARTER EXCEPT THAT PART
LYING WESTERLY OF A LINE PARALLEL WITH
& DISTANCE 48 FEET EASTERLY OF FOLLOWING
DESCRIBED LINE: BEGINNING AT SOUTHWEST CORNER
OF SAID SECTION, THENCE NORTHERLY 300 FEET ON
CENTERLINE OF FIRST STREET & THERE TERMINATING;
ALSO EXCEPT THE SOUTHERLY 33 FEET THEREOF

Dated this 3rd day of October, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-136
A RESOLUTION RESTRICTING PARKING

WHEREAS, Chapter 15, of the Willmar Municipal Code, states that the city council, in retaining the right to designate the mode, manner, and method of parking of automobiles upon the streets of the city, or in prohibiting the parking thereof along one (1) or both sides of any street, thoroughfare, avenue or property owned by the city; and

WHEREAS, The City Engineer recommends to the City Council that it is deemed necessary, in order to control traffic and to further the control and movement of traffic, to prohibit the parking of vehicles along the West side of 2nd Street Southeast from Becker Avenue Southeast to Olena Avenue Southeast.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that parking shall be prohibited along the West side of 2nd Street Southeast from Becker Avenue Southeast to Olena Avenue Southeast.

Dated this 3rd day of October, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2022-137

A RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR PROJECT NO. 2204.

Motion By: Ask Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for Project No. 2204 between the City of Willmar and Duininck, Inc. by Change Order No. 1 in the increased amount of \$7,641.00 of which will be paid by the neighboring property owner.

Dated this 3rd day of October, 2022

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk